

U.S. Department of Labor

Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246



Citation and Notification of Penalty

To:

Fuyao Glass America Inc.
and its successors
800 Fuyao Avenue
Moraine, OH 45439

Inspection Number: 1375726

Inspection Date(s): 02/04/2019 - 06/26/2019

Issuance Date: 07/24/2019

Inspection Site:

800 Fuyao Avenue
Moraine, OH 45439

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling 513-841-4132. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

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If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/24/2019. The conference will be held by telephone or at the OSHA office located at 36 Triangle Park Drive, Cincinnati, OH 45246 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1375726

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439
Issuance Date: 07/24/2019

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 36 Triangle Park Drive, Cincinnati, OH 45246**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.25(c)(1): In addition to paragraph (b) of this section, the employer must ensure standard stairs: Are installed at angles between 30 to 50 degrees from the horizontal:

(a) On or about February 4, 2019, an employee climbed the stairs attached to the Yuhdak Vertical Injection Molding Machine in PVC Encapsulation. The stairs had an angle of 59 degrees.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$8335.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.28(b)(1)(i): (1) Unprotected sides and edges. (i) Except as provided elsewhere in this section, the employer must ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the following:

- (A) Guardrail systems;
- (B) Safety net systems; or
- (C) Personal fall protection systems, such as personal fall arrest, travel restraint, or positioning systems, in that:

(a) On or about March 11, 2019, an employee replacing filters in an air handling unit on a platform above the Print Room on the FBT line, by Pillar AE 53, was exposed to a fall of over 11 feet, 3 inches.

(b) On or about March 7, 2019, an employee working on top of the dryer in EPBL 3 in OEM, was exposed to a 6 foot, 10 inch fall.

(c) On or about March 8, 2019, an employee working on top of both washers on the FBT 1 line in OEM, was exposed to a 4 foot, 2 inch fall.

(d) On or about March 9, 2019, an employee climbed on top of the dryer on the GT 1 line in OEM Tempering, to replace blower bearings, was exposed to a 6 foot, 10 inch fall.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$13260.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1375726
Inspection Date(s): 02/04/2019 - 06/26/2019
Issuance Date: 07/24/2019



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i)(C): Where lockout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected:

(a) On or about February 4, 2019, the employer did not ensure that the employer's periodic inspections of the specific energy control procedures utilized by employees on equipment such as but not limited to: The Yuhdak Vertical Injection Molding Machine located in the PVC Encapsulation Room, Washers located on the ARG Lamination lines and Gravity Furnaces located on the ARG Bending Lines were not adequate in that it did not include a review between the inspector and each authorized employee.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$13260.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.

(a) On or about Feb 5, 2019, an employee operating the Baileigh Mechanical Shear was exposed to pinch points created by the hold downs, in that the gap between the guard and the table was 3/4 inches, thereby allowing employee's fingers to slip under the guard.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$13260.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i)(B): Except as elsewhere required or permitted by this standard, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the following means: By suitable permanent, substantial partitions or screens so arranged so that only qualified persons will have access to the space within reach of the live parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental contact with the live parts or to bring conducting objects into contact with them:

(a) On or about March 7, 2019, employees tested vacuum pump motors in the ARG Maintenance Shop by hard wiring the motors to an energized 480-volt panel and letting the motor run for at least ten minutes while the panel door stood open to keep the panel cool.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$10419.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.304(g)(5): Grounding path. The path to ground from circuits, equipment, and enclosures shall be permanent, continuous, and effective:

(a) On Feb 6, 2019, the grounding prongs on two flexible cords plugged into a quad outlet box on the side of the Yuhdak Vertical Injection Molding Machine, were broken off in the outlet. The plugs were connected to a running pedestal fan and a hopper dryer.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$10419.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.333(a): "General." Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

(a) On or about March 4, 2019, the employer did not ensure that safety related work practices were not in use when by employees exposed to direct or indirect electrical contacts when working near or on energized equipment or circuits such as but not limited to: testing the vacuum pump motor attached to the 480v electrical panel in the maintenance department, resetting the 480v breaker for the cyclone located in Cell 5 in the OEM, when trouble shooting a 480v air handler and when troubleshooting a 480v control panel for a condensing unit for the EPBL 1 Buffer Room.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$13260.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed. Note: Personal protective equipment requirements are contained in subpart I of this part:

(a) On or about March 4, 2019, the employer did not ensure that employees exposed to direct or indirect electrical contacts when working near or on energized equipment or circuits such as but not limited to: testing the vacuum pump motor attached to the 480v electrical panel in the maintenance department, resetting the 480v breaker for the cyclone located in Cell 5 in the OEM, and when trouble shooting a 480v air handler and while troubleshooting a 208 to 480v control panel and a 480v control panel for a condensing unit for the EPBL 1 Buffer Room were provided with and used electrical protective equipment to protect parts of the body such as but not limited face and hands.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$13260.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 1 Type of Violation: **Repeat**

29 CFR 1910.147(c)(4)(i): Procedures shall be developed, documented and utilized for the control of potentially 29 CFR 1910.147(c)(4)(i): Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section.

(a) On or about February 8, 2019 energy control procedures were not developed, documented and utilized for the Yuhdak Vertical Injection Molding Machine by employees performing duties such as but not limited too; mold changes, when cleaning up glass inside of the machine and when wiping down the molds located in PVC Encapsulation.

(b) On or about Feb 11, 2019, energy control procedures were not developed, documented and utilized for the Backlite 1 through 6 robotic cell lines by employees performing duties such as but not limited too; repairs, when cleaning suction cups, when sweeping and picking up glass, cleaning pumps inside of the robotic cells located in the Backlite Department.

The Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 1151844, citation number 1, item number 4a and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$72930.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 2 Type of Violation: **Repeat**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

(a) On or about February 4, 2019, the generic lockout training conducted for employees did not include training on specific procedures to include the methods and means necessary for energy isolation and control for employees to follow when performing maintenance, cleaning, repairs and change outs on equipment such as but not limited to cleaning inside of the ARG Lamination Washers, performing change-overs on the ARG Pretreatment Lines, changing rollers inside of the furnaces, entering the Bystronic cells to wipe down the equipment, changing suction cups on the bystronic cell equipment, sweeping and blowing out the OEM Tempering Line #2 robotic cells.

The Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1151844, citation number 1, item number 4c and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$72930.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence:

(a) On or about February 4, 2019, an employee performing a blade change on the Jet Horizontal Band Saw (no data plate) in the Mold Department, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical energy source,
- (3) affix lockout or tagout devices to the energy isolating device.

(b) On or about March 14, 2019, an employee climbing inside the ARG Lamination Washer on Line #2 to clean, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(c) On or about March 29, 2019, two employees performing a change-over in the ARG Pretreatment Print Room on Line #7, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(d) On or about March 1, 2019, an employee entering the Bystronic cells on ARG Pretreatment Line #7, to clean the sensors on the end of the conveyor belt, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(e) On or about March 29, 2019, an employee entering the Bystronic cells on ARG Pretreatment Line #7, to change suction cups on the robotic arms, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(f) On or about March 25, 2019, an employee entering the Bystronic cells on ARG Pretreatment Line #7, to change a grinding wheel, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(g) On or about March 29, 2019, an employee entering the Bystronic cells on ARG Pretreatment Line #7, to clean up glass at the end of the shift, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(h) On or about February 8, 2019, an employee cleaning inside a dryer on the ARG Pretreatment Line #7, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(i) On or about March 29, 2019, an employee performing setups on the six Bystronic cells on ARG Pretreatment Bystronic Line #2, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(j) On or about March 7, 2019, an employee in OEM Tempering changing rollers in a furnace, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
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(k) On or about February 7, 2019, an employee went into a robotic cell in OEM Tempering Line #2, to sweep and blow out the cell, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(l) On or about February 19, 2019, an employee entering the robotic cell on OEM GT 2, to work on a fixture, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(m) On or about February 7, 2019, an employee taking out a link out on a conveyor on VPL 2 in OEM Lamination, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(n) On or about February 28, 2019, an employee who climbed inside an OEM EPBL 5 dryer to replace an element, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(o) On or about March 14, 2019, three employees who entered the OEM FBT 2 Bystronics cell to replace a plug-in cable on a robotic arm, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(p) On or about February 15, 2019, an employee who replaced the suction cups on one of the FBT lines in OEM, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(q) On or about February 7, 2019, an employee who cleaned out the pump in a robotic cell on Backlite #4 in OEM, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(r) On or about February 10, 2019, an employee who cleaned the suction cups in the robotic cells on Backlite #3 in OEM, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(s) On or about February 12, 2019, an employee who swept and cleaned once each shift on the robotic cells on Backlite #5 and Backlite #6 in OEM, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(t) On or about February 12, 2019, an employee who went into the robotic cells on Backlite #5 and Backlite #6 in OEM, to remove bad glass, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(u) On or about February 12, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to restart the lines, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(v) On or about February 11, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to clean the tips, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(w) On or about February 11, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to clean up broken glass, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(x) On or about February 12, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to change primer pads, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(y) On or about February 11, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to replace terminals and replace a glue stick, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(z) On or about February 8, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to change the carbon, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(aa) On or about February 11, 2019, an employee who went into the robotic cells on Backlite #1 and Backlite #2 in OEM to change tubes on the robotic system and pick up broken glass, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(bb) On or about February 11, 2019, an employee who went into the robotic cells on Backlite #5 and Backlite #6 in OEM to perform end-of-shift cleaning, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(cc) On or about February 13, 2019, an employee who went into the robotic cell on Backlite #4 in OEM to anchor a storage cabinet, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(dd) On or about March 18, 2019, an employee who went into the robotic cell on Backlite #2 in OEM to change the pump on an activator robot, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(ee) On or about February 8, 2019, an employee who climbed inside the Yuhdak Vertical Injection Molding Machine in PVC Encapsulation to wipe down the upper mold at the beginning of the shift and the end of the shift, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(ff) On or about February 4, 2019, an employee who climbed inside the Yuhdak Vertical Injection Molding Machine in PVC Encapsulation to clean up glass, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(gg) On or about Feb 8, 2019, an employee climbed inside the Yuhdak Vertical Injection Molding Machine in PVC Encapsulation to wipe down the upper mold at the beginning of the shift, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(hh) On or about Feb 8, 2019, an employee who climbed inside the Krauss Mafei Horizontal Injection Molding Machine, at the beginning of the shift, to wipe down the molds, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

(jj) On or about April 4, 2019, an employee who stepped onto the belt grinder platforms on Lines 1 and 2 in OEM Lamination to change the grinding belts, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

(jj) On or about March 22, 2019, an employee who went into the Line #2 robotic cells in OEM Lamination to clean the cells, failed to first:

- (1) turn off and shut down the machines,
- (2) physically locate and operate the energy isolating device in such a manner as to isolate the machine or equipment from the electrical, pneumatic and hydraulic energy sources,
- (3) affix lockout or tagout devices to the energy isolating devices.

The Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.147(d), which was contained in OSHA inspection number 1151844, citation number 1, item number 4d and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

The Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.147(d), which was contained in OSHA inspection number 1213350, citation number 1, item number 3 and was affirmed as a final order on November 29, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$72930.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.

(a) On or about February 4, 2019, employee were unguarded nip points on the belts and sprockets on conveyor lines such as but not limited to, in Bending 2, there were two conveyors with one nip point 28 inches off the floor and the other one was 35 inches off the floor. In Bending 9 (by Post K43), there was a conveyor with the nip point unguarded 42 inches off the floor. In ARG Lamination #3 (by Post P-36), there was a conveyor line with the nip point unguarded 35 inches off the floor. A conveyor on Line #3 lamination, the unguarded pinch point was 40 inches off the floor.

The Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.212(a)(1) which was contained in OSHA inspection number 1151844, citation number 1, item number 8 and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$72930.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 5 . Type of Violation: **Repeat**

29 CFR 1910.303(g)(1)(i): Working space for equipment likely to require examination, adjustment, servicing, or maintenance while energized shall comply with the following dimensions, except as required or permitted elsewhere in this subpart:

(a) On February 6, 2019, the distance between the front panel cover on the 480-volt electrical panel on the wall behind the Krauss Mafei Horizontal Injection Molding Machine in PVC Encapsulation, and the operators metal platform in front of it, did not comply with Table S-1, in that the distance between the front panel cover and Krauss Mafei Horizontal Injection Molding Machine operators platform, was only 29 inches.

Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.303(g)(1)(i), which was contained in OSHA inspection number 1151844, citation number 1, item number 6a and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$52096.00



Citation and Notification of Penalty

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439

Citation 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.305(g)(1)(iv): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used as a substitute for the fixed wiring of a structure:

(a) On February 12, 2019, extension cords were used on the Backlite Line #4 production line in place of permanent wiring.

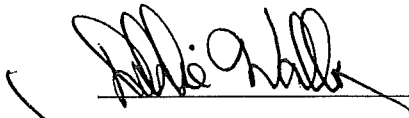
Fuyao Glass America Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(g)(1)(iv), which was contained in OSHA inspection number 1167871, citation number 1, item number 1b and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 W. Stroop Rd., Moraine, OH 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2019
\$31257.00



Ken E. Montgomery
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
36 Triangle Park Drive
Cincinnati, OH 45246



INVOICE / DEBT COLLECTION NOTICE

Company Name: Fuyao Glass America Inc.
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439
Issuance Date: 07/24/2019

Summary of Penalties for Inspection Number	1375726
Citation 1, Serious	\$95473.00
Citation 2, Repeat	\$375073.00
TOTAL PROPOSED PENALTIES	\$470546.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

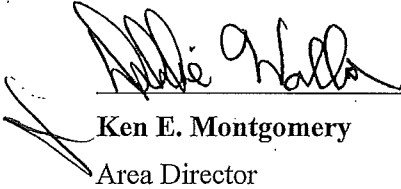
account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Ken E. Montgomery
Area Director

7-24-19

Date